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| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTY. DOCKET NO. 930120.401USPC | APPLICATION NO. 10/575,063 |
| SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | APPLICANTS Robert J. Harman et al. | |
| | | FILING DATE February 1, 2007 | GROUP ART UNIT 1651 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|-----------------|----------|------------------|-------|----------|----------------------------|
| 1 | 4,868,121 | 09/19/89 | Scharp et al. | 435 | 268 | |
| 2 | 5,079,160 | 01/07/92 | Lacy et al. | 435 | 240.2 | |
| 3 | 5,197,985 | 03/30/93 | Caplan et al. | 623 | 16 | |
| 4 | 5,226,914 | 07/13/93 | Caplan et al. | 623 | 16 | |
| 5 | 5,422,261 | 06/06/95 | Lee et al. | 435 | 219 | |
| 6 | 5,424,208 | 06/13/95 | Lee et al. | 435 | 268 | |
| 7 | 5,486,359 | 01/23/96 | Caplan et al. | 424 | 93.7 | |
| 8 | 5,744,360 | 04/28/98 | Hu et al. | 435 | 366 | |
| 9 | 5,786,207 | 07/28/98 | Katz et al. | 435 | 267 | |
| 10 | 5,811,094 | 09/22/98 | Caplan et al. | 424 | 93.7 | |
| 11 | 5,827,735 | 10/27/98 | Young et al. | 435 | 325 | |
| 12 | 5,827,740 | 10/27/98 | Pittenger | 435 | 372 | |
| 13 | 5,830,510 | 11/03/98 | Petitte et al. | 424 | 582 | |
| 14 | 5,837,539 | 11/17/98 | Caplan et al. | 435 | 332 | |
| 15 | 5,855,619 | 01/05/99 | Caplan et al. | 623 | 11 | |
| 16 | 5,906,934 | 05/25/99 | Grande et al. | 435 | 325 | |
| 17 | 5,908,784 | 06/01/99 | Johnstone et al. | 435 | 372 | |
| 18 | 6,010,696 | 01/04/00 | Caplan et al. | 424 | 93.7 | |
| 19 | 6,020,196 | 02/01/00 | Hu et al. | 435 | 366 | |
| 20 | 6,022,540 | 02/08/00 | Bruder et al. | 424 | 133.1 | |
| 21 | 6,100,047 | 08/08/00 | Wilkison et al. | 435 | 7.2 | |
| 22 | 6,153,432 | 11/28/00 | Halvorsen et al. | 435 | 377 | |
| 23 | 6,214,369 | 04/10/01 | Grande et al. | 424 | 423 | |
| 24 | 6,242,200 | 06/05/01 | Wilkison et al. | 435 | 7.21 | |
| 25 | 6,255,112 | 07/03/01 | Thiede et al. | 435 | 440 | |
| 26 | 6,322,784 | 11/27/01 | Pittenger et al. | 424 | 93.7 | |

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|----------|-----------------|
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|-------------------|-----------------|----------|---------------------|-------|----------|----------------------------|
| 27 | 6,355,239 | 03/12/02 | Bruder et al. | 424 | 93.1 | |
| 28 | 6,387,367 | 05/14/02 | Davis-Sproul et al. | 424 | 93.1 | |
| 29 | 6,391,297 | 05/21/02 | Halvorsen | 424 | 93.7 | |
| 30 | 6,429,013 | 08/06/02 | Halvorsen et al. | 435 | 377 | |
| 31 | 6,482,231 | 11/19/02 | Abatangelo et al. | 623 | 11.11 | |
| 32 | 6,492,130 | 12/10/02 | Wilkison et al. | 435 | 14 | |
| 33 | 6,541,024 | 04/01/03 | Kadiyala et al. | 424 | 426 | |
| 34 | 6,555,374 | 04/29/03 | Gimble et al. | 435 | 371 | |
| 35 | 6,569,633 | 05/27/03 | Wilkison et al. | 435 | 7.21 | |
| 36 | 6,589,728 | 07/08/03 | Csetc et al. | 435 | 4 | |
| 37 | 6,607,498 | 08/19/03 | Eshel | 601 | 2 | |
| 38 | 6,610,535 | 08/26/03 | Lu et al. | 435 | 325 | |
| 39 | 6,630,154 | 10/07/03 | Fraker et al. | 424 | 423 | |
| 40 | 6,709,864 | 03/23/04 | Pittenger et al. | 435 | 372 | |
| 41 | 6,767,738 | 07/27/04 | Gage et al. | 435 | 325 | |
| 42 | 6,777,231 | 08/17/04 | Katz et al. | 435 | 325 | |
| 43 | 6,849,255 | 02/01/05 | Gazit et al. | 424 | 93.21 | |
| 44 | 7,429,488 | 09/30/08 | Fraser et al. | 435 | 366 | |
| 45 | 7,470,537 | 12/30/08 | Hedrick et al. | 435 | 325 | |
| 46 | 2001/0033834 | 10/25/01 | Wilkison et al. | 424 | 93.7 | |
| 47 | 2002/0005205 | 01/17/02 | Barry et al. | 128 | 898 | |
| 48 | 2002/0039572 | 04/04/02 | Downs | 424 | 93.21 | |
| 49 | 2002/0076400 | 06/20/02 | Katz et al. | 424 | 93.21 | |
| 50 | 2002/0106353 | 08/08/02 | Wood et al | 424 | 93.7 | |
| 51 | 2002/0115647 | 08/22/02 | Halvorsen et al. | 514 | 171 | |
| 52 | 2002/0119126 | 08/29/02 | Halvorsen | 424 | 93.7 | |

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|-------------------|-----------------|----------|---------------------|-------|----------|----------------------------|
| 53 | 2002/0155096 | 10/24/02 | Chancellor et al. | 424 | 93.7 | |
| 54 | 2003/0031695 | 02/13/03 | Kadiyala et al. | 424 | 423 | |
| 55 | 2003/0054331 | 03/20/03 | Fraser et al. | 435 | 2 | |
| 56 | 2003/0082152 | 05/01/03 | Hedrick et al. | 424 | 93.21 | |
| 57 | 2003/0118566 | 06/26/03 | Neuman et al. | 424 | 93.21 | |
| 58 | 2003/0124721 | 07/03/03 | Cheatham et al. | 435 | 366 | |
| 59 | 2003/0161816 | 08/28/03 | Fraser et al. | 424 | 93.7 | |
| 60 | 2003/0166278 | 09/04/03 | Gimble et al. | 435 | 377 | |
| 61 | 2003/0185807 | 10/02/03 | Gazit et al. | 424 | 93.21 | |
| 62 | 2003/0202966 | 10/30/03 | Prockop et al. | 424 | 93.7 | |
| 63 | 2003/0203483 | 10/30/03 | Seshi | 435 | 366 | |
| 64 | 2004/0009157 | 01/15/04 | Gazit et al. | 424 | 93.21 | |
| 65 | 2004/0018174 | 01/29/04 | Palasis | 424 | 93.7 | |
| 66 | 2004/0033214 | 02/19/04 | Young et al. | 424 | 93.7 | |
| 67 | 2004/0037810 | 02/26/04 | Von Heimburg et al. | 424 | 93.7 | |
| 68 | 2004/0067218 | 04/08/04 | Castilla et al. | 424 | 93.7 | |
| 69 | 2004/0067219 | 04/08/04 | Vida | 424 | 93.7 | |
| 70 | 2004/0092011 | 05/13/04 | Wilkison et al. | 435 | 366 | |
| 71 | 2004/0096431 | 05/20/04 | Fraser et al. | 424 | 93.7 | |
| 72 | 2004/0097867 | 05/20/04 | Fraser et al. | 604 | 27 | |
| 73 | 2004/0106196 | 06/03/04 | Fraser et al. | 435 | 366 | |
| 74 | 2004/0107453 | 06/03/04 | Furcht et al. | 800 | 18 | |
| 75 | 2004/0151706 | 08/05/04 | Shakhov et al. | 424 | 93.7 | |
| 76 | 2004/0152190 | 08/05/04 | Sumita | 435 | 369 | |
| 77 | 2004/0166097 | 08/26/04 | Prockop et al. | 424 | 93.7 | |
| 78 | 2005/0008626 | 01/13/05 | Fraser et al. | 424 | 93.21 | |

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|-------------------|-----------------|----------|---------------|-------|----------|----------------------------|
| 79 | 2005/0076396 | 04/07/05 | Katz et al. | 800 | 8 | |
| 80 | 2005/0260174 | 11/24/05 | Fraser et al. | 424 | 93.7 | |
| 81 | | | | | | |

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FOREIGN PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION YES NO |
|-------------------|-----------------|----------|---------|----------------------------|
| 1 | AU 2009201915 | 05/14/09 | AU | |
| 2 | WO 96/28539 | 09/19/96 | PCT | |
| 3 | WO 98/32450 | 07/30/98 | PCT | |
| 4 | WO 00/53795 | 09/14/00 | PCT | |
| 5 | WO 01/80865 | 11/01/01 | PCT | |
| 6 | WO 03/010243 | 02/06/03 | PCT | |
| 7 | WO 03/022988 | 03/20/03 | PCT | |
| 8 | WO 03/053346 | 07/03/03 | PCT | |
| 9 | WO 03/080801 | 10/02/03 | PCT | |
| 10 | WO 2004/022078 | 03/18/04 | PCT | |
| 11 | WO 2005/035742 | 04/21/05 | PCT | |
| 12 | WO 2010/020005 | 02/25/10 | PCT | |
| 13 | | | | |

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NON-PATENT LITERATURE DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|--|
| 1 | Black et al., "Effect of Adipose-Derived Mesenchymal Stem and Regenerative Cells on Lameness in Dogs with Chronic Osteoarthritis of the Coxofemoral Joints: A Randomized, Double-Blinded, Multicenter, Controlled Trial," <i>Veterinary Therapeutics</i> 8(4):272-284, 2007. |
| 2 | Black et al., "Effect of Intraarticular Injection of Autologous Adipose-Derived Mesenchymal Stem and Regenerative Cells on Clinical Signs of Chronic Osteoarthritis of the Elbow Joint in Dogs," <i>Veterinary Therapeutics</i> 9(3):192-200, 2008. |
| 3 | Boquest et al., "Isolation and Transcription Profiling of Purified Uncultured Human Stromal Cells: Alteration of Gene Expression after In Vitro Cell Culture," <i>Molecular Biology of the Cell</i> 16:1131-1141, 2005. |
| 4 | Garcia-Olmo et al., "Treatment of enterocutaneous fistula in Crohn's Disease with adipose-derived stem cells: a comparison of protocols with and without cell expansion," <i>Int J Colorectal Dis</i> 24:27-30, 2009. |
| 5 | Hamudikuwanda et al., "Adipose tissue progesterone concentrations in dairy cows during late pregnancy and early lactation," <i>Animal Reproduction Science</i> 43:15-23, 1996. |
| 6 | Nixon et al., "Effect of adipose-derived nucleated cell fractions on tendon repair in horses with collagenase-induced tendinitis," <i>Am J Vet Res</i> 69(7):928-937, 2008. |
| 7 | Office Action issued in European Application No. 04 794 539.9 – 2401, mailed August 10, 2009, 5 pages. |
| 8 | Office Action issued in European Application No. 04 794 539.9 – 2401, mailed March 19, 2010, 5 pages. |
| 9 | Trakhtuev et al., "A Population of Multipotent CD34-Positive Adipose Stromal Cells Share Pericyte and Mesenchymal Surface Markers, Reside in a Periendothelial Location, and Stabilize Endothelial Networks," <i>Circ Res</i> 102:77-85, 2008. |
| 10 | Varma et al., "Phenotypical and functional characterization of freshly isolated adipose tissue-derived stem cells," <i>Stem Cells Dev</i> . 16(1):91-104, 2007 (abstract only). |
| 11 | Yoshimura et al., "Characterization of freshly isolated and cultured cells derived from the fatty and fluid portions of liposuction aspirates," <i>J Cell Physiol</i> . 208(1):64-76, 2006 (abstract only). |
| 12 | Zhu et al., "The effect of age on osteogenic, adipogenic and proliferative potential of female adipose-derived stem cells," <i>J Tissue Eng Regen Med</i> 3:290-301, 2009. |
| 13 | |

| | |
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